

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C (1) to permit a front yard setback of 10 feet in lieu of the requested 25 feet and a rear yard setback of 24 feet in lieu of the required 30 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

As shown on the accompanying drawings, the lot (site) in question has more than adequate square footage to accommodate the proposed industrial home. However because of the shape of the lot, any spot that the house is placed on will still require a zoning variance. We the owners of this proposed dwelling are quite certain that this petition if granted will have no adverse effect on the surrounding community, since no other properties or facilities will be affected. The neighbors also seem to be favorable!

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A  
(Type or Print Name)  
Signature: \_\_\_\_\_  
Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Attorney for Petitioner: N/A  
(Type or Print Name)  
Address: 4210 Maine Avenue  
Baltimore, Maryland 21207  
City and State: \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Alfred Wallace Sr.  
4210 Maine Avenue / 367-2036  
City and State: \_\_\_\_\_  
Attorney's Telephone No.: N/A

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of September, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of November, 1986, at 10:00 o'clock A.M.

(over)

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of September, 1986

ARNOLD JABLON  
Zoning Commissioner

Petitioner: Alfred Wallace, Sr., et ux  
Attorney: \_\_\_\_\_  
Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

IN RE: PETITION FOR ZONING VARIANCE  
NW/S of Lodge Farm Road,  
1320' E of the c/l of  
North Point Road  
(2832 Lodge Farm Road)  
15th Election District  
Alfred Wallace, Sr., et ux  
Petitioners  
BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 87-183-A

The Petitioners herein request a zoning variance to permit a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 24 feet in lieu of the required 30 feet.

Testimony by and on behalf of the Petitioners indicates that they purchased Lot 3 as a homestead, and, additionally, the adjacent 20' wide strip of land needed to provide a driveway with access to Lodge Farm Road (Petitioner's Exhibit 1). Not anticipating a building permit problem, the Petitioners then purchased a pre-fabricated home to be constructed on the site. Because of the long, thin shape of the lot, placement of the home at any other location than the one proposed is impossible.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, it is determined that the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 14th day of November 1986, that the herein request for a zoning variance to permit a front yard setback of 10 feet and a rear yard setback of 24 feet, in accordance with the plan submitted and identified as Petitioner's Exhibit 1, is hereby GRANTED from and after the date of this Order.

ORDER RECEIVED FOR FILING  
Date: 11/14/86  
By: [Signature]

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

November 14, 1986

Mr. & Mrs. Alfred Wallace, Sr.  
4210 Maine Avenue  
Baltimore, Maryland 21207

RE: Petition for Zoning Variance  
NW/S of Lodge Farm Road,  
1320' E of the c/l of  
North Point Road  
(2832 Lodge Farm Road)  
15th Election District  
Case No. 87-183-A

Dear Mr. & Mrs. Wallace:

Enclosed please find a copy of the decision rendered in the above referenced case. Please be advised that your Petition for Zoning Variance has been granted in accordance with the enclosed Order.

If you have any further questions on the subject matter, please do not hesitate to contact this office.

Very truly yours,

JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ:bjs

Enclosures

cc: People's Counsel

Phone: 687-6922

## FRANK S. LEE

Registered Land Surveyor

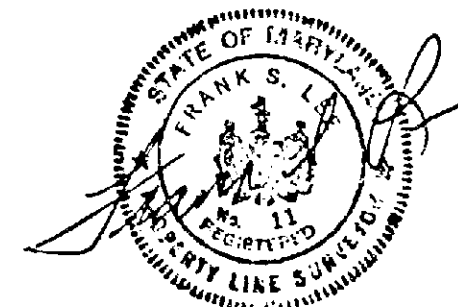
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21217

November 8, 1985

Lot 3  
Northwest side of Lodge Farm Road  
Part of 3773 folio 229, Part of lot 3, all of lot 4 and part of lot 5, plat of Hubbert J. Robert, 13/63  
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Lodge Farm Road at the beginning of the second or North 45 degrees 04 minute West 317.15 foot line of the 1 acre parcel of land which by deed dated October 18 1960 and recorded among the land records of Baltimore County in Liber 3773 folio 229 was conveyed by George Bassett to Lacy T. Bowen and wife; thence leaving Lodge Farm Road and running with and binding on part of said second line as now surveyed North 52 degrees 31 minutes 26 seconds West 214.97 feet to the end of the third line of that parcel of land which by deed dated May 1, 1975 and recorded aforesaid in Liber E.H.K.Jr. 5527 folio 879 was conveyed by Lacy T. Bowen and wife to Richard Lee Austin and wife; thence running and binding reversely on said third line South 41 degrees 28 minutes 20 seconds West 262.02 feet to the northeast side of Roberts Lane (not open) as laid out and shown on the plat of Hubbert J. Robert, said plat recorded aforesaid in Plat Book 13 folio 63; thence running and binding on the northeast side of Roberts Lane South 59 degrees 05 minutes 02 seconds East 55 feet, thence running for two lines of division as follows: North 44 degrees 59 minutes 02 seconds East 237.16 feet and South 52 degrees 31 minutes 26 seconds East 145.43 feet to the northwest side of Lodge Farm Road and to intersect the first line in deed Bassett to Bowen above referred to, and thence running with and binding on part of said first line as now surveyed along the northwest side of Lodge Farm Road North 43 degrees 40 minutes 02 seconds East 20.12 feet to the place of beginning.

Containing 0.44 acres of land more or less.



## PETITION FOR ZONING VARIANCES

15th Election District

Case No. 87-183-A

LOCATION: Northwest Side of Lodge Farm Road, 1320 feet East of the Centerline of North Point Road (2832 Lodge Farm Road)

DATE AND TIME: Friday, November 7, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variations to permit a front yard setback of 10' in lieu of the required 25' and a rear yard setback of 24' in lieu of the required 30'

Being the property of Alfred Wallace, Sr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES  
NW/S of Lodge Farm Rd., 1320' E  
of C/L of North Point Rd. (2832  
Lodge Farm Rd.), 15th District  
ALFRED WALLACE, SR., et ux,  
Petitioners  
BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 87-183-A

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 3rd day of October, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Alfred Wallace, Sr., 4210 Maine Avenue, Baltimore, MD 21207, Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman





# CERTIFICATE OF PUBLICATION

OFFICE OF  
**Dundalk Eagle**

38 N. Dundalk Ave.  
Dundalk, Md. 21222      October 16, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. - P.O. #81414 - REQ. #195777 - Case #87-183-A - 67 lines @ \$26.80, was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive~~ weeks before the 17th day of October 1986; that is to say, the same was inserted in the issues of Oct. 16, 1986

**Kimbel Publication, Inc.**  
per Publisher.

By *[Signature]*



BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. REINCKE  
CHIEF

Mr. Arnold Jablon,  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Property Owner: Alfred Wallace, Sr., et ux

Location: Beginning on the NW/4 Lodge Farm Road, 1320' E of centerline of North Point Road  
Item No.: 88      Zoning Agenda: Meeting of 9/9/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- ( ) 2. A second means of vehicle access is required for the site.

- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

- ( ) 6. Site plans are approved, as drawn.

- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and  
Planning Group Approved: *[Signature]*  
Special Inspection Division      Fire Prevention Bureau

/mb



BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204

September 16, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 88 Zoning Advisory Committee Meeting are as follows:

Property Owner: Alfred Wallace, Sr., et ux  
Location: Beginning on the NW/4 Lodge Farm Rd., 1320' E of c/l of North Point Rd.  
District: 15th.

## APPLICABLE ITEMS ARE CIRCLED:

A All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Codes and Standards.

B A building and other miscellaneous permits shall be required before the start of any construction.

C Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E All One Group except Sub-Group Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Sub-Group require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1007, Section 1008.2 and Table 1002. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

F The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

H When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the \_\_\_\_\_ to the \_\_\_\_\_ or to Mixed Uses. See Section 312 of the Building Code.

I The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

*[Signature]*  
C. E. Burman, Chief  
Building Plans Rev.

L/22/86

9-28-86

87-183-A

88

August 25, 1986

To Whom It May Concern:

We are requesting a hardship consideration. We are asking that you would consider moving the date of our hearing as close as you possibly can. We are in a precarious situation at this present time. This situation arose because of our conception that we could build any house on the site in question as long as it was a single family dwelling. As a result of this misconception we are in this tight situation. Based on that assumption we went ahead and purchased the proposed industrial (pre-fabricated) home. At the same time the home in which we are currently living was put up for sale. We made these transactions based on the assumption that since we had our own lot and an industrial home that was on the Maryland state approved list of industrial homes, we could have a construction permit in a matter of weeks. However because of this unexpected turn of event we are forced into a long waiting period. In conclusion we are asking that you would consider the fact that winter is fast approaching as we might be forced to wait a much longer period of time. Thank you so much for your consideration. We want to make it clear that we are not blaming our situation on anyone but ourselves, we are just asking for a little help.

Gratefully,

Alfred Wallace Sr.

This Deed, MADE THIS 13<sup>TH</sup> day of March

in the year one thousand nine hundred and eighty-six

by and between

Lacy T. Bowen and Grace E. Bowen, his wife,

of Baltimore County, State of Maryland, parties

of the first part and

Alfred Wallace, Sr. and Mary L. Wallace, his wife, of Baltimore City, State of Maryland,

parties

of the second part.

Witnesseth That in consideration of the sum of Three Thousand Five Hundred Dollars, (\$3,500.00), the receipt of which is hereby acknowledged,

the said parties of the first part, Lacy T. Bowen and Grace E. Bowen, his wife,

CAC/F 2.00  
CIT TX 17.50  
C HOS 17.50  
FED 2.00  
FIM JR T 55.00  
HOSER C301 R02 113451  
11 6809485

do grant and convey to the said parties of the second part, Alfred Wallace, Sr. and

Mary L. Wallace, his wife, as tenants by the entirety, their assigns, the survivor of

them, his or her

personal representatives ~~successors~~ and assigns

, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland,

and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 3 as shown on a Plat of the Property of Lacy T. Bowen, a metes and bounds description being attached hereto and made a part hereof.

BEING part of the property which by Deed dated October 18, 1960, and recorded among the Land Records of Baltimore County in Liber WJR No. 3773, folio 229, was granted and conveyed by George Bassett and Ardell Bassett, his wife, unto Lacy T. Bowen and Grace E. Bowen, his wife, in fee simple.

BEING ALSO part of the property which by Deed dated November 13, 1964, and recorded among the Land Records of Baltimore County in Liber RRG No. 4389, folio 100, was granted and conveyed by Mattie D. Hunter, widow, et al, unto Lacy T. Bowen and Grace E. Bowen, his wife, in fee simple.

THE SAID Lacy T. Bowen being one and the same person as Lacy T. Bowen.

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE *[Signature]* DATE 5-29-86

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION

CLERK DATE

## DEED

FROM

Lacy T. Bowen and

Grace E. Bowen, his wife

TO

Alfred Wallace, Sr. and

Mary L. Wallace, his wife

Blank No.

Received for Record, 19

at o'clock M. Same day recorded

in Liber No. Folio &c,

one of the Land Records of

and examined per

Clerk.

Cost of Record, \$

MAIL TO:

Mr. and Mrs. Alfred Wallace, Sr.  
4210 Maine Avenue  
Baltimore, Maryland 21207

THE ONLY RECORDED BALTIMORE DEED 1134

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining

To HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part, Alfred Wallace, Sr. and Mary L. Wallace, his wife, as tenants by the entirety, their assigns, the survivor of them, his or her

personal representatives ~~successors~~ and assigns in fee simple

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed, that they will warrant specially the property hereby granted, and that they will execute such further assurances of the same as may be requisite

Witness the hands and seals of said grantor s.

Test:

*[Signature]*  
ROBERT E. JOY

*[Signature]*  
Lacy T. Bowen (SEAL)  
Lacy T. Bowen

*[Signature]*  
Grace E. Bowen (SEAL)  
Grace E. Bowen

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

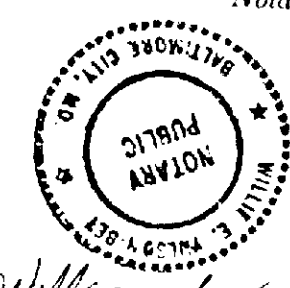
I HEREBY CERTIFY, That on this 13<sup>TH</sup> day of March, in the year one thousand nine hundred and eighty-six, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Lacy T. Bowen and Grace E. Bowen, his wife,

known to me or satisfactorily proven to be the persons whose names were subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

My Commission expires

July 1, 1986



#411 to *[Signature]*  
Address 4210 Maine Ave  
21207